

CHAPTER 165**CIGARETTE AND LITTLE CIGAR TAX***S.F. 543*

AN ACT relating to cigarettes and little cigars by striking language which terminates the temporary tax increase imposed on cigarettes and little cigars and makes the tax permanent and by striking language which terminates the two percent discount rate for the sale of cigarette stamps decreasing the percent that cigarettes are required to be marked up, and computing the markup on only one-half of the cigarette tax.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. 1981 Iowa Acts, chapter 43, section 1, amending section 98.6, Code 1981, is amended to read as follows:

SECTION 1. Section 98.6, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding subsection 1, there is imposed for the fiscal biennium beginning July 1, 1981 and ending June 30, 1983 and shall be collected and paid to the department a tax on all cigarettes used or otherwise disposed of in this state for any purpose at the rate of nine mills on each cigarette which shall not be considered as part of the basic cost of cigarettes as defined in section 551A.2.

Sec. 2. 1981 Iowa Acts, chapter 43, section 2, amending section 98.8, subsection 1, Code 1981, is amended to read as follows:

SEC. 2. Section 98.8, subsection 1, Code 1981, is amended to read as follows:

1. Stamps shall be sold by and purchased from the department. The department shall sell stamps to the holder of a state distributor's permit which has not been revoked and to no other person. Stamps shall be sold to the permit holders at a discount of not to exceed five percent of the face value. However, for the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, stamps shall be sold to permit holders at a discount of two percent of the face value. Stamps shall be sold in unbroken books of one thousand stamps, unbroken rolls of thirty thousand stamps, or unbroken lots of any other form authorized by the director.

Sec. 3. Section 551A.2, subsection 8, Code 1983, is amended to read as follows:

8. "Basic cost of cigarettes" shall mean whichever of the two following amounts is lower, namely: (a) the true invoice cost of cigarettes to the wholesaler or retailer, as the case may be, or (b) the lowest replacement cost of cigarettes to the wholesaler or retailer in the quantity last purchased, less, in either case, all trade discounts and customary discounts for cash, plus one-half of the full face value of any stamps which may be required by any cigarette tax Act of this state, unless included by the manufacturer in his list price.

Sec. 4. Section 551A.2, subsection 9, paragraph b, Code 1983, is amended to read as follows:

b. The cost of doing business by the wholesaler is presumed to be four three percent of the basic cost of said cigarettes in the absence of proof of a lesser or higher cost, plus which includes cartage to the retail outlet, if furnished or paid for by the wholesaler plus the full face value of any stamps which may be required by any cigarette tax Act of this state to the extent not already included in the basic cost of cigarettes. Such cartage cost is presumed to be one-half of one percent of the basic cost of the cigarettes in the absence of proof of a lesser or higher cost.

Sec. 5. Section 551A.2, subsection 10, paragraph b, Code 1983, is amended to read as follows:

b. The cost of doing business by the said retailer is presumed to be ~~eight~~ six percent of the basic cost of cigarettes in the absence of proof of a lesser or higher cost plus the full face value of any stamps which may be required by any cigarette tax Act of this state to the extent not already included in the basic cost of cigarettes.

Approved June 1, 1983

CHAPTER 166

HEALTH INSURANCE COVERAGE OF OPTOMETRIC SERVICES

S.F. 178

AN ACT relating to the inclusion of optometric services in health insurance policies or contracts if the vision care services or procedures are covered when performed by other health care providers.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 509.3, Code 1983, is amended by adding the following new subsection after subsection 4:

NEW SUBSECTION. 4A. A provision shall be made available to policyholders, under group policies covering vision care services or procedures, for payment of necessary medical or surgical care and treatment provided by an optometrist licensed under chapter 154 if the care and treatment are provided within the scope of the optometrist's license and if the policy would pay for the care and treatment if the care and treatment were provided by a person engaged in the practice of medicine or surgery as licensed under chapter 148 or 150A. The policy shall provide that the policyholder may reject the coverage or provision if the coverage or provision for services which may be provided by an optometrist is rejected for all providers of similar vision care services as licensed under chapter 148, 150A, or 154. This subsection applies to group policies delivered or issued for delivery after July 1, 1983, and to existing group policies on their next anniversary or renewal date, or upon expiration of the applicable collective bargaining contract, if any, whichever is later. This subsection does not apply to blanket, short-term travel, accident only, limited or specified disease, or individual or group conversion policies, or policies designed only for issuance to persons for coverage under Title XVIII of the Social Security Act, or any other similar coverage under a state or federal government plan.

Sec. 2. Section 514.7, Code 1983, is amended by adding the following new unnumbered paragraph after unnumbered paragraph 1:

NEW UNNUMBERED PARAGRAPH. A provision shall be available in approved contracts with hospital and medical service corporate subscribers under group subscriber contracts or plans covering vision care services or procedures, for payment of necessary medical or surgical care and treatment provided by an optometrist licensed under chapter 154, if the